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UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
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McLean, VA 22102

In re Application of :  
PAYNE, John David, et al. :  
Application No.: 10/049,436 :  
PCT No.: PCT/GB00/02878 : NOTIFICATION  
Int. Filing Date: 26 July 2000 :  
Priority Date: 13 August 1999 :  
Attorney's Docket No.: SMC 60371/UST :  
For: AIR FILTER :

This application is before the Office for matters arising under 35 U.S.C. §371.

### **BACKGROUND**

On 26 July 2000, applicants filed international application PCT/GB00/02878, which claimed a priority date of 13 August 1999. A copy of the international application was communicated to the United States Patent and Trademark Office (USPTO) from the International Bureau on 22 February 2001. On 06 February 2001, applicants filed a demand for international preliminary examination which elected the United States, prior to nineteen months from the priority date. The deadline for entry into the national stage in the United States was midnight 13 February 2002.

On 12 February 2002, applicants filed a submission for entry into the national stage in the United States which was accompanied by, *inter alia*, the U.S. Basic National Fee and a declaration executed by Helen Hyde (nee Dukes) and John David Payne.

### **DISCUSSION**

Under 37 CFR 1.41(a)(4), the inventors who submitted an application under §1.494 or §1.495 are the inventors in the international application designating the United States. The inventors in the international application include the inventors named upon filing of the international application or resulting from any changes made under Rule 92*bis* in the international stage. The record does not reflect any such requests under Rule 92*bis* during the international stage.

The inventors in the international application are John David Payne and Helen Dukes. The inventors on the declaration are John David Payne and Helen Hyde. Thus, the declaration fails to comply with 37 CFR 1.497(a)(3).

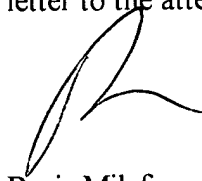
Applicant is required to submit an oath or declaration in compliance with 37 CFR 1.497(a)-(b). Attention is directed to MPEP §605.04(c) and the requirement for a petition under 37 CFR 1.182 contained therein, if there has been a change of name.

**CONCLUSION**

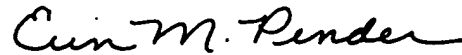
For the above reasons, applicants' declaration does not comply with 37 CFR 1.497(a)-(b).

A proper response as indicated above must be filed within TWO (2) MONTHS from the mail date of this decision. Failure to timely file the proper response will result in abandonment of this application. Extensions of time are available under 37 CFR 1.136(a).

Please direct any further correspondence with respect to this matter to the Commissioner of Patents and Trademarks, Box PCT, Washington, D.C. 20231, and address the contents of the letter to the attention of the Office of PCT Legal Administration.



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